



Docket No. ASP-40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Henry K. Hui et al. Confirmation No.: 6464
Appln. No. : 10/016,058 Art Unit : 1744
Filed : November 2, 2001 Examiner : K.M. Jastrzab
Title : MONITORING STERILANT CONCENTRATION IN DIFFUSION-RESTRICTED REGIONS AS A BASIS FOR PARAMETRIC RELEASE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

Ethicon, Inc., a corporation of the State of New Jersey, having a registered office at US Route 22, Somerville, NJ 08876, represents that it is the Assignee of the entire right, title and interest in and to the subject matter disclosed in the above-captioned patent application and is the owner of U.S. Patent No. 6,451,272B1 and 6,491,881B2. Ethicon, Inc. hereby disclaims, under the provisions of 35 USC 253 and 37 CFR 1.321 and 3.73, the terminal part of any patent granted on the above-captioned application which would extend beyond the expiration date of the full statutory term, as presently shortened by an terminal disclaimer, of United States Patent No. 6,451,272B1 and 6,491,881B2 and hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title of said patent shall be the same as the legal title to United States Patent No. 6,451,272B1 and 6,491,881B2.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in

whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The Terminal Disclaimer fee of \$110.00 and any additional fees which may be owed in connection with the filing of this Terminal Disclaimer can be charged to Johnson & Johnson Deposit Account No. 10-0750/ASP-40/ACF. Three copies of this sheet are enclosed.

Respectfully submitted,

By:


Andrew C. Farmer
Assistant Secretary
Ethicon, Inc.

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2825
Dated: 1-27-05